

REMARKS/ARGUMENTS

Claim Rejections

35 U.S.C. § 102

The Examiner has said:

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Ross, U.S. Patent 4,066,154.

Ross shows, in Figs. 1-3, a transversely moving cable control, for controlling a cable 12, the cable having a portion within the transversely moving cable control 17, segments outside the transversely moving cable control, and original position for all portions and segments of the cable before the transversely moving cable control has been activated, which comprises:

A means 23 for transversely moving the portion of the cable which is within the transversely moving cable control to create a pulling force upon one end 12' of the cable; and

a means 24 for maintaining the segments of the cable which are outside the transversely moving cable control substantially in the originally positions of such segments.

Claim 1 reads as follows:

1. A transversely moving cable control, for controlling a cable, said cable having a portion within said transversely moving cable control, segments outside said transversely moving cable control, and original positions for all portions and segments of said cable before said transversely moving cable control has been activated, which comprises:

a means for transversely moving the portion of a cable which is within the transversely moving cable control to create a pulling force upon one or both ends of said cable; and

a means for maintaining the segments of said cable which are outside the transversely moving cable control substantially in the original positions of such segments.

Applicant respectfully submits that the cable of Ross (4,066,154) only has one segment outside of the cable control. This is evident from the drawings and the fact that the inner end of the cable is anchored inside the cable control while the remained of the cable exits the cable control at only one point which is noted in lines 2 through 7 of column 2 of Ross: "At its inner end 12' cable 12 is anchored to the wheel 20, and it is wound on the wheel 20 in the central groove 20' thereof. From the groove 20' the cable progresses about a roller 23 and then out of the mechanism through an aperture 24 formed in part 16."

More importantly, Applicant further submits that the device of Ross lacks "a means for transversely moving the portion of a cable which is within the transversely moving cable control."

The present application indicates that, contrary to the traditional cable control, the device of the present application does not pull the cable from an end, which requires an anchored sheath; rather, the device of the present application exerts a transverse force on the cable within the cable control to move that portion of the cable in a transverse direction while maintaining the segments outside the cable control in substantially their original positions.

Line 17 on page 5 of the present application explicitly observes, ". . . no outer cable or sheath is necessary" Ross, however, states, in lines 7 through 8 of column 2, "The sheath 13 for the cable is dead ended in the aperture 24." This is necessary for the device of Ross because that device pulls the cable from the inner end 12' along substantially the original path of the cable, rather than transversely moving the cable.

The *American Heritage Dictionary of the English Language*, which was published by American Heritage Publishing Co., Inc. and Houghton Mifflin Company and copyrighted in 1970, defines "transverse" as "[s]ituated or lying across; athwart; crosswise."

In lines 26 through 33 of column 2 Ross describes the operation of his device: "Now fo a description of the operation of the device: In order to apply the brake, the handle 14 is pushed down or squeezed toward the handlebar 15. When this is done, the part 17 and wheel 20 rotate in unison on the pin 21 in a clockwise direction As the wheel 20 turns, the cable is wound thereon to pull it to apply the caliper brake 10, 10', 10" to the wheel rim 11.

Thus, Applicant respectfully observes that Ross does not anticipate claim 1.

Next, the Examiner has declared:

Claims 6-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Ross, U.S. Patent 4,066,154.

Ross show, in Figs. 1-3, a transversely moving cable control for controlling a cable 12, the cable having segments in original position before the transversely moving cable control has been activated, which comprises;

a hollow base plate 16 to maintain the segments of a cable which lie outside the transversely moving cable control in substantially the original position (as shown in Fig. 1 inside the section 24) of such segments of the cable;

a means 23, 24 for transversely moving an intermediate portion of the cable to create a pulling force upon one end of the cable and for maintaining a second segment of the cable which lies outside the transversely moving cable control in substantially the original position of such second segment of the cable;

wherein the means for transverse movement and maintaining the second segment in substantially the original position of such cable comprises;

a cable guide 24 attached to the hollow base plate to maintain the segment of a cable which lies outside the hollow base plate beyond the cable guide in substantially the original position of the cable;

a lever 14 rotatably attached to the hollow base plate;

a pulley 23, the pulley having a pivot 25, attached to the lever across which pulley the cable runs so that when the lever is rotated away from the base plate, the pulley exerts a transverse force on the cable which causes the cable to move in a transverse direction creating the pulling force on one end of the cable;

an exit aperture (at the upper portion of the lever 14 as shown in Fig. 1) in the lever to maintain the segment of the cable which lies outside hollow base plate beyond the exit aperture in substantially the original position of the cable;

wherein the pulley is removably attached to the lever; and

a channel (the hole wherein the pins 25 of the pulley are inserted therein) in the lever within which the pivot of the pulley can be releasably fastened, released, moved, and releasably fastened again.

Claim 6, upon which claims 7, 8, and 9 depend provides:

6. A transversely moving cable control for controlling a cable, said cable having segments in original positions before said transversely moving cable control has been activated, which comprises:

a hollow base plate to maintain the segments of a cable which lie outside the transversely moving cable control in substantially the original positions of such segments of said cable; and

a means for transversely moving an intermediate portion of said cable to create a pulling force upon one or both ends of said cable and for maintaining a second segment of said cable which lies outside the transversely moving cable control in substantially the original position of such second segment of said cable.

Therefore, Applicant respectfully believes that the reasoning discussed above for claim 1 demonstrates that Ross does not anticipate claim 6 through 9.

The Examiner continues:

Claims 10-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Ross, U.S. Patent 4,066,154.

Ross shows, in Figs. 1-3, a transversely moving cable control for controlling a cable 12, the cable having segments in original position before the transversely moving cable control has been activated and the cable having a first end 12'; which comprises;

a hollow base plate 16 to maintain the segments of a cable which lie outside the transversely moving cable control in substantially the original position (as shown in Fig. 1 inside the section 24) of such segments of the cable; and

a means 23, 24 for transversely moving an intermediate portion of the cable to create a pulling force upon one end of the cable, the means for transverse movement being adapted for attachment of the first end of the cable;

wherein the means for transverse movement adapted for attachment of the first end of the cable comprising;

a cable guide 24 attached to the hollow base plate to maintain the segment of a cable which lies outside the hollow base plate beyond the cable guide in substantially the original position of the cable;

a lever 14 adapted for attachment of the first end of the cable and rotatably attached to the hollow base plate;

a pulley 23, the pulley having a pivot 25, attached to the lever across which pulley the cable runs so that when the lever is rotated away from the base plate, the pulley exerts a transverse force on the cable which causes the cable to move in a transverse direction creating the pulling force on one end of the cable;

wherein the pulley is removably attached to the lever; and

a channel (the hole wherein the pins 25 of the pulley are inserted therein) in the lever within which the pivot of the pulley can be releasably fastened, released, moved, and releasably fastened again.

Claim 10 states:

10. A transversely moving cable control for controlling a cable, said cable having segments in original positions before said transversely moving cable control has been activated and said cable having a first end, which comprises:

a hollow base plate to maintain the segments of a cable which lie outside the transversely moving cable control in substantially the original positions of such segments of said cable; and

a means for transversely moving an intermediate portion of said cable to create a pulling force upon one or both ends of said cable, said means for transverse movement being adapted for attachment of the first end of said cable.

Consequently, Applicant respectfully believes that the reasoning discussed above for claim 1 demonstrates that Ross does not anticipate claim 10.

Claim 11 declares:

11. The transversely moving cable control as recited in claim 10, wherein the means for transverse movement adapted for attachment of the first end of the cable comprises:

a cable guide attached to said hollow base plate to maintain the segment of a cable which lies outside said hollow base plate beyond said cable guide in substantially the original position of the cable;

a lever adapted for attachment of the first end of the cable and rotatably attached to said hollow base plate; and

a pulley, said pulley having a pivot, attached to said lever across which pulley the cable runs so that when the lever is rotated away from said base plate, the pulley exerts a transverse force on the cable which causes the cable to move in a transverse direction creating said pulling force on one or both ends of the cable.

And claims 12 and 13 depend upon claim 11.

Thus, Applicant respectfully believes that the reasoning discussed above for claim 1 demonstrates that Ross does not anticipate claim 11 through 13.

Furthermore, Applicant must respectfully observe that nothing within Ross indicates that the hole wherein the pins 25 of the pulley are inserted is "a channel in the lever within which the pivot of said pulley can be releasably fastened, released, moved, and releasably fastened again."

Finally, the Examiner has provided:

Claim 14 is rejected under 35 U.S.C. 102(b) as being anticipated by Ross, U.S. Patent 4,066,154.

Ross shows, in Figs. 1-3, a process for exerting a control force at one or more ends of a cable, the cable having an intermediate portion and outer segments in original positions before the process commences, which comprises;

transversely moving an intermediate portion of the cable to create a pulling force upon one or both ends of the cable (by the pulley 23); and

simultaneously maintaining the outer segments of the cable substantially in the original positions of such segments (by the guide 24).

And claim 14 reads:

14. A process for exerting a control force at one or more ends of a cable, said cable having an intermediate portion and outer segments in original positions before said process commences, which comprises:

transversely moving an intermediate portion of said cable to create a pulling force upon one or both ends of said cable; and

simultaneously maintaining the outer segments of said cable substantially in the original positions of such segments.

Once again, Applicant, therefore, respectfully believes that the reasoning discussed above for claim 1 demonstrates that Ross does not anticipate claim 14.

Applicants respectfully request the Examiner to allow claim 1.

DATED this 8th day of January, 2004.

Respectfully,

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